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Bereskin & Parr

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August 17, 2001

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Your Reference: n/a  
Our Reference: 3244-62

Commissioner for Patents and Trademarks  
Washington, D.C.  
20231, U.S.A.

Dear Sirs:

**Re: PRELIMINARY AMENDMENT**  
**United States National Phase Entry of PCT/CA00/00165**  
**Entitled: A Caspase Activated Protein Kinase**  
**Applicant: McMaster University**

We are simultaneously entering national phase in the United States for PCT/CA00/00165. The preset letter is to file a Preliminary Amendment to the application. Please amend the application as follows:

**In the Claims:**

Please amend claims 3, 4, 12 and 16 as follows:

a1 3. (Amended) A purified and isolated nucleic acid molecule comprising a sequence which hybridizes to the nucleic acid molecule as claimed in claim 1.

4. (Amended) A recombinant expression vector adapted for transformation of a host cell comprising a nucleic acid molecule as claimed in claim 1 and one or more transcription and translation elements operatively linked to the nucleic acid molecule.

a2 12. (Amended) A method according to claim 10 wherein the nucleic acid molecule encoding the SMAK protein comprises

(i) a nucleic acid sequence encoding a SMAK protein having the nucleic acid sequence as shown in Figure 1, wherein T can also be U;

(ii) a nucleic acid sequence complementary to (i);

(iii) a nucleic acid molecule differing from any of the nucleic acids of (i) and (ii) in codon sequences due to the degeneracy of the genetic code.

a3 16. (Amended) A method according to claim 13 wherein the cell is in an animal.